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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,056	06/23/2004	Jari Sirvio	AWEK 2881	9131
7812	7590	11/13/2006	EXAMINER	
SMITH-HILL AND BEDELL, P.C. 16100 NW CORNELL ROAD, SUITE 220 BEAVERTON, OR 97006			SOTELO, JESUS D	
			ART UNIT	PAPER NUMBER
			3617	

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/500,056

Applicant(s)

SIRVIO ET AL.

Examiner

Jesús D. Sotelo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-13 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 8-13 and 15-18 are in the application. Claims 1-7 and 14 have been cancelled.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 depends from cancelled claim 14.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-13 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tigges et al (CA 2,373,462) in view of Oshima (JP9-142391).

Tigges et al discloses a watercraft having an aft region and first and second opposite sides (shown particularly in figure 2), and comprising a hull having a cargo deck (shown in figures 2 and 3); the cargo deck defines a cargo space for accommodating trucks and other wheeled cargo, as shown in figures 2 and 3. The hull also includes a main propulsion means 6 located in the aft region of the watercraft for propelling the craft in a forward direction.

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Oshima discloses a ship including a hull with opposite sides and a main propulsion unit driving a main propeller 1. Oshima teaches different configurations for steering the watercraft including, as shown in figures 1-3, the use of a main fixed propeller and two rotatable steering propulsion units located in the aft region of the watercraft to the first and second sides of the main propulsion means 1. In view of these disclosures, it would have been obvious to one having ordinary skill in the art to substitute for the propulsion/steering means in Tigges with an arrangement including a main propulsion means located in the aft region of the watercraft for propelling the watercraft in a forward direction and first and second steering propulsion devices located in the aft region of the watercraft to the first and second sides of the main propulsion means generally as taught by Oshima. The steering propulsion devices mounted on the watercraft of Tigges et al per the teachings of Oshima would of necessity be mounted below the cargo deck. While Oshima does not specify the shaft output of the steering units relative to the main propulsion unit, it is reasonable to expect the shaft output of the steering units to be less than that of the main propulsion unit judging from the relative size of the propellers and the intended function of the two different units. The amount of the difference between the shaft output and the main propeller shaft output is deemed to have been an obvious matter of design choice to one having ordinary skill in the art of marine propulsion and steering. The steering propulsion devices of Oshima include a propeller part that is stationarily located (when not in use) outside the hull of the watercraft, generally as in claim 9. It should be noted that when the propeller of the steering propulsion devices claimed is in use, none of the parts of the propeller are stationarily, as the whole propeller would be rotating. The propulsion means in the above combination includes a propeller, as in claim 10. The main propulsion means in the above

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combination would have the main propulsion means located substantially centrally between the opposite sides of the watercraft generally as shown in figures 1 and 2., as in claim 11. Although the figures in the disclosure of Oshima do not show a prime mover, it is obvious and conventional for propulsion units in watercraft to include a prime mover, as in claim 12 and the type of prime mover is deemed to have been an obvious matter of choice to one having ordinary skill in the art. The use of electric motors, diesel motors and gas turbines to drive ships is well known in the art. Similarly, the provision of a maintenance space below the cargo space for maintaining the steering propulsion devices would have been an obvious matter of design choice to one having ordinary skill in the art. Although the steering propellers could be maintained from the outside, such maintenance would require special personnel or equipment, while the use of access panels through the hull would be a desirable feature.

The method steps of claims 16 and 17 are encompassed in the above combination.

Response to Arguments

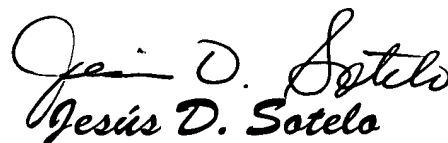
6. Applicant's arguments with respect to claims 8-13 and 16-18 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jesús D. Sotelo whose telephone number is 571-272-6686. The examiner can normally be reached on Mon. – Fri. 5:30 AM – 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Samuel J. Morano can be reached on 571-272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jesús D. Sotelo
Primary Examiner
Art unit 3617
KNX 03D69 ☺

jds
November 9, 2006